

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

BANK OF AMERICA, N.A., etc.,       )  
  )  
                  Plaintiff,            )  
  )  
          v.                                )       No.   10 C 5377  
  )  
LYLE P. CAMPBELL, et al.,            )  
  )  
                  Defendants.            )

MEMORANDUM ORDER

This action has remained on hold for a number of months because of the automatic stay stemming from the bankruptcy filings of defendants Lyle and Craig Campbell, and that has of course precluded any action by this Court on the September 8, 2011 motion for summary judgment (Dkt. 27) that had been filed by plaintiff Bank of America, N.A. ("Bank") as successor to LaSalle Bank, N.A. With the Bank having taken no steps to lift the bankruptcy stay, this Court sees no justification for letting a potentially dispositive motion lie fallow for more than six months. Accordingly the motion for summary judgment is denied sua sponte, without prejudice of course to its potential reassertion if that becomes possible.<sup>1</sup>

  
\_\_\_\_\_  
Milton I. Shadur  
Senior United States District Judge

Date: March 12, 2012

---

<sup>1</sup> In that event it would not be necessary for the Bank to reinvent the wheel with a full fledged new filing. Instead an incorporation by reference would be acceptable.